



Entered on Docket
December 18, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

WILDE & ASSOCIATES

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and

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HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities Corporation,
Mortgage Pass-Through Certificates, Series 2007-7
09-72939

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Giovanni R. Magbual and Rosemarie D. Magbual

Debtors.

BK 09-18994-mkn

Date: 9/30/09
Time: 1:30PM

Chapter 7

AMENDED ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor HSBC Bank USA, National Association as Trustee for Wells Fargo Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2007-7, its assignees and/or successors in interest, of the subject property, generally described as 6794 Council Heights Way, Las Vegas, NV 89142, and legally described as follows:

Parcel I:

Lot Six Hundred Ninety-Three (693) of FINAL MAP OF THE QUARRY - UNIT 45-1, a Common Interest Community as shown by Map thereof on file in Book 119 of Plats, page 76, in the office of the County Recorder of Clark County, Nevada.

Parcel II:

Reciprocal, non-exclusive easements for access, ingress and egress over the Association Property, subject to, and as set forth in the Covenants, Conditions and Restrictions and Reservation of Easements for SUNRISE HIGHLANDS recorded August 1, 2006 in Book 20060801 as Document No. 0004725, Official Records.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors and Trustee at least five business days' notice of the time, place and date of sale.

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1 IT IS FURTHER ORDERED that in the event a Notice of Default has been recorded against this
2 particular property there can be no sale for sixty (60) days, allowing the Debtor(s) to submit a copy of
3 this Order to the State of Nevada, Foreclosure Mediation Program, and the Order will be construed as an
4 agreement between the Secured Creditor and Debtor(s) that they have voluntarily agreed to a mediation
5 under the Nevada State Foreclosure Mediation Program pursuant to Rule 6 of said program. The
6 necessary information can be accessed at <http://www.nevadajudiciary.us/>.

7 DATED this 8th day of December, 2009.

8 Submitted by:
9 **WILDE & ASSOCIATES**

10 By /s/ GREGORY L. WILDE
11 **GREGORY L. WILDE, ESQ.**
12 Attorney for Secured Creditor
13 208 South Jones Boulevard
Las Vegas, Nevada 89107

14 APPROVED / DISAPPROVED

15 _____
16 H. Stan Johnson
17 6293 Dean Martin Drive
Las Vegas, NV 89118
Attorney for Debtor(s)

18
19
20 APPROVED / DISAPPROVED

21 _____
22 William A. Leonard
23 5030 PARADISE RD #B216
LAS VEGAS, NV 89119
24 Chapter 7 Trustee
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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order

☒ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order

☒ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: _____

17 ☐ approved the form of this order

☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor